

PATENT APPLICATION FEE DETERMINATION RECORD

Effective October 1, 2003

Application or Docket Number

10761491
11443/173

CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
TOTAL CLAIMS	14	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	14 minus 20 =	* 0
INDEPENDENT CLAIMS	2 minus 3 =	* 0
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

1-20-04

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	* 5	Minus ** 20	= 0
Independent	* 1	Minus *** 3	= 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

3-29-05

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	* 31	Minus ** 20	= 11
Independent	* 4	Minus *** 3	= 1
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	Minus **	=
Independent	*	Minus ***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

- * If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 - ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."
 - *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."
- The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

SMALL ENTITY TYPE ☒

OR OTHER THAN SMALL ENTITY

RATE	FEE
BASIC FEE	385.00
X\$ 9=	
X43=	
+145=	
TOTAL	385

RATE	FEE
BASIC FEE	770.00
X\$18=	
X86=	
+290=	
TOTAL	

SMALL ENTITY OR

OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE
X\$ 9=	
X43=	
+145=	
TOTAL	
ADDITIONAL FEE	

RATE	ADDITIONAL FEE
X\$18=	
X86=	
+290=	
TOTAL	
ADDITIONAL FEE	

RATE	ADDITIONAL FEE
25 X\$ 9=	275
180 X43=	100
+145=	
TOTAL	375
ADDITIONAL FEE	

RATE	ADDITIONAL FEE
X\$18=	
X86=	
+290=	
TOTAL	
ADDITIONAL FEE	

RATE	ADDITIONAL FEE
X\$ 9=	
X43=	
+145=	
TOTAL	
ADDITIONAL FEE	

RATE	ADDITIONAL FEE
X\$18=	
X86=	
+290=	
TOTAL	
ADDITIONAL FEE	



1.FW ✓

[11443/173]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Michael P. WHITMAN
Serial No.: 10/761,491
Filed: January 20, 2004
For: ELECTROMECHANICAL DRIVER AND REMOTE
SURGICAL INSTRUMENT ATTACHMENT HAVING
COMPUTER ASSISTED CONTROL CAPABILITIES

Examiner: Eduardo Robert
Art Unit: 3732

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this copy of the paper is being deposited with the
United States Postal Service with sufficient postage as first class mail
in an envelope addressed to:
Mail Stop Amendment
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
on

Date: 3/25/05
Signature: Damario Quiros

AMENDMENT

SIR:

This paper addresses the Office Action dated December 1, 2004. Initially,
kindly amend the above-identified application as set forth below.

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of
this paper.

Remarks begin on page 6 of this paper.

34/25/2005 THURSDAY 08000001 11:50 10761491
01 FD:2291 185 00 00
02 FD:2292 275 20 00

WFB

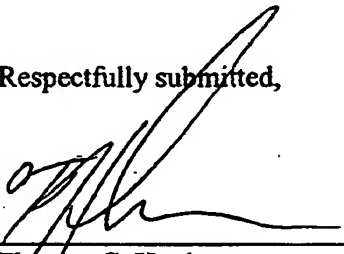
include, either directly or indirectly, the feature of a surgical stapler that includes a sensor mechanism for sensing and providing data corresponding to a condition of a section of tissue disposed between the first and second jaws of the stapler, which is not disclosed or suggested by Hooven et al. Therefore, for at least these reasons, Applicants maintain that new claims 15-40 are allowable.

IV. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Dated: March 25, 2005

By:

Respectfully submitted,

Thomas C. Hughes
Reg. No. 42,674

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PATENT TRADEMARK OFFICE

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